THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 20986 of 2005

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Dated:27.09.2005

Between:

Modi Obul Reddy, S/o. Obul Reddy, Hindu,
Civil Engineering Department, Ananthapur.

..... PETITIONER

AND

The APSRTC Rep. by its Chairman and Managing Director,

Musheerabad, Hyderabad, and others.

.....RESPONDENTS

ORDER:

The petitioner claims to have been engaged as a Technical Mastry in A.P.S.R.T.C on 20.06.1996 on a consolidated pay of Rs.350/- per month. On an earlier occasion, the petitioner filed W.P.No.7005 of 1999 with a prayer to direct the respondents to regularize his services. The said writ petition was dismissed on 03.08.2005, leaving it open to the petitioner to work out his remedies before the Labour Court or any other Forum. The petitioner claims to have submitted an application before the Conciliation Officer. His present grievance is that even while the conciliation proceedings are still pending, the respondents are threatening to discontinue him, and he seeks appropriate direction in this regard.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The petitioner approached this Court on an earlier occasion in relation to regularization of his service. This Court found it not proper to entertain the writ

petition, and dismissed it, leaving it open to the petitioner to avail the remedies before the Labour Court. It was in this context that the petitioner filed an application before the Conciliation Officer. Therefore, the entire matter is in the seisin of the Conciliation Officer. The Writ Court cannot be converted to be one for passing interim orders, pending the proceedings before the Conciliation Officer. In this regard, it needs to be observed that even if the petitioner is discontinued, while the conciliation proceedings are pending, the provisions of the Industrial Disputes Act, 1947 (for short 'the Act') provide adequate protection to him, and at any rate, he can straightforward approach the Labour Court under Section 2(a)(ii) of the Act.

Therefore, this Court does not find any basis to entertain the writ petition, and the same is accordingly dismissed. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

27.09.2005

vs